

U.S. Serial No. 09/471,689
Attorney Docket No. YOR919990507US1
(YOR.153)

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REMARKS

Entry of this Amendment is proper because it does not raise any new issues requiring further search by the Examiner, narrows the issues on appeal, and places the present application in condition for immediate allowance.

Claims 1 and 3-32 are all the claims presently pending in the application.

Applicants gratefully acknowledge that claims 26-28 and 31 are allowed and that claims 2-9 would be allowable if rewritten in independent form.

To speed prosecution, independent claim 1 has been amended to incorporate all of the features of allowable claim 2 (i.e., claim 1 + allowable claim 2). Claim 3 correspondingly is amended to change its dependency from claim 2 to claim 1 (i.e., claim 1 + allowable claim 2).

Thus, Applicants submit that claims 1 and 3-25 are now in condition for immediate allowance.

Also, to further speed prosecution, claims 29 and 30 (which are somewhat similar to independent claim 1) also are amended to incorporate all of the features of allowable claim 2. Somewhat similarly, independent claim 32 is amended to incorporate all of the features of independent claim 1 and allowable claim 2.

Thus, Applicants submit that claims 29, 30, and 32 also are in condition for immediate allowance. Accordingly, Applicants respectfully request the same.

It is noted that the claim amendments are made only for placing the present application in condition for allowance, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states

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that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

With respect to the prior art rejection, claims 1, 10-25, 29, 30, and 32 stand rejected on prior art grounds under 35 U.S.C. § 102(b) as being anticipated by the Bringsjord article (Selmer Bringsjord, "Chess Is Too Easy", MIT'S Technology Review, Cambridge, March/April 1998).

As mentioned above, to speed prosecution, independent claims 1, 29, 30, and 32 are amended to incorporate all of the features of allowable claim 2. Thus, the prior art rejection of claims 1, 10-25, 29, 30, and 32 has been rendered moot, and therefore, should be withdrawn.

Accordingly, claims 1, 10-25, 29, 30, and 32 should be in condition for immediate allowance.

CONCLUSION

In view of the foregoing, Applicant submits that claims 1 and 3-32, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

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The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Assignee's Deposit Account No. 50-0510.

Respectfully Submitted,

Date: November 3, 2004



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CERTIFICATE OF TRANSMISSION

I certify that I transmitted via facsimile to (703) 872-9306 the enclosed Amendment under 37 C.F.R. § 1.116 to Examiner Kelvin E. Booker on November 3, 2004.


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